

**LEGISLATIVE SERVICES AGENCY  
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

200 W. Washington, Suite 301  
Indianapolis, IN 46204  
(317) 233-0696  
<http://www.in.gov/legislative>

**FISCAL IMPACT STATEMENT**

**LS 7239**

**BILL NUMBER:** HB 1310

**NOTE PREPARED:** Jan 4, 2009

**BILL AMENDED:**

**SUBJECT:** Transfer on Death Deed.

**FIRST AUTHOR:** Rep. Goodin

**FIRST SPONSOR:**

**BILL STATUS:** As Introduced

**FUNDS AFFECTED:**     **GENERAL  
DEDICATED  
FEDERAL**

**IMPACT:** Local

**Summary of Legislation:** The bill authorizes an owner of real property to transfer ownership of the real property upon the death of the owner by using a transfer on death deed. It provides that a transfer on death deed must be recorded to be valid and specifies the rights and duties of designated beneficiaries. It also requires the grantor's death certificate and other documents to be filed with the county recorder after the death of the grantor.

**Effective Date:** July 1, 2009.

**Explanation of State Expenditures:**

**Explanation of State Revenues:**

**Explanation of Local Expenditures:**

**Explanation of Local Revenues:** *Summary* - The bill could potentially result in additional recording fees to county recorders. However, the extent of this impact is indeterminable.

**Background Information** - The bill would require the grantor to have the transfer on death deed recorded by the county recorder in the county where the real property interest to be transferred is located. The beneficiary of the real property interest must file an affidavit with the county recorder where the real property is located. The affidavit must contain a legal description of the property, a certified copy of the transferor's death certificate, information on beneficiaries, and a cross-reference to the recorded transfer on death deed.

**State Agencies Affected:**

**Local Agencies Affected:** County recorders.

**Information Sources:**

**Fiscal Analyst:** Jim Landers, 317-232-9869.